AMENDMENTS TO THE CLAIMS:

This listing of the claims will replace all prior versions, and listings, of the claims in this application:

Please cancel claims 3, 12, and 23 without prejudice or disclaimer.

Listing of Claims:

1. (Previously Presented) A method comprising:

in at least one network control mode of operation, determining in a mobile station if a cell to which the mobile station is currently assigned has a first type of broadcast control channel; and

if the cell does have the first type of broadcast control channel, sending a packet measurement report message to a network for reporting on neighbour cells identified in a list received from the first type of broadcast control channel;

if the cell does not have the first type of broadcast control channel, sending a packet measurement report message to the network for reporting on neighbour cells identified in a list received from a second type of broadcast control channel, where the type of list is one of implicitly specified by the packet measurement report message or is explicitly specified by the packet measurement report message, where the neighbor cell list is implicitly specified by the packet measurement report message by casting the message in a format of an earlier version of the packet measurement report message that by default implies the type of list.

2. (Canceled).

3. (Canceled).

4. (Previously Presented) A method as in claim 1, where the list is explicitly specified by the packet measurement report message by a field of the packet measurement report message.

5. (Previously Presented) A method as in claim 4, where the field is a one bit field for specifying that the packet measurement report is based on a broadcast control channel allocation general packet radio service or on a global system for mobile communications neighbour cell list from a broadcast control channel.

6. (Previously Presented) A method as in claim 5, where the one bit field is added to the packet measurement report message only if the first type of broadcast control channel is not present in the cell.

7. (Previously Presented) A method as in claim 1, where the first type of broadcast control channel is a packet broadcast control channel, and where the one bit field is added to the packet measurement report message only if the packet broadcast control channel is not present in the cell.

8. (Original) A method as in claim 1, comprising a computer program product embodied on a tangible computer-readable medium and having program instructions for causing a computer to execute the method.

9. (Currently Amended) <u>A computer-readable storage medium containing computer executable instructions for causing a computer of a mobile station to execute a method of operating with a network the method comprising:</u> A~computer-readable~medium~embodied~with~program instructions~comprising:

computer instructions, responsive to a mobile station being in a network control mode of operation where it reports cell measurement results to a network, for determining if a cell to which the mobile station is currently assigned has a packet broadcast control channel; and

computer instructions, responsive to a determination that the cell does have the packet broadcast control channel, for sending a packet measurement report message to the network for reporting on neighbour cells identified in a global system for mobile communications neighbour cell list received from the packet broadcast control channel, and to a determination that the cell does not have the packet broadcast control channel, for sending a packet measurement report message to the network for reporting on neighbour cells first identified in a broadcast control

channel allocation general packet radio service, before the mobile station has acquired the global system for mobile communications neighbour cell list from a broadcast control channel, and after the mobile station has acquired the global system for mobile communications neighbour cell list from the broadcast control channel, the neighbor cells identified in the global system for mobile communications neighbour cell list, where the type of neighbor cell list in use by the mobile station is implicitly specified by the packet measurement report message.

10. (Currently Amended) A computer-readable storage medium A computer-readable medium as in claim 9, where the list is implicitly specified by the packet measurement report message by sending the message in a format compatible with an earlier version of the packet measurement report message that by default implies the use of the broadcast control channel allocation general packet radio service.

11. (Currently Amended) A computer-readable storage medium A computer-readable medium as in claim 9, where the list is implicitly specified by the packet measurement report message by the mobile station's sending the message to not include a release 99 extension.

12. (Canceled).

13. (Currently Amended) A computer-readable storage medium containing computer executable instructions for causing a computer of a mobile station to execute a method of operating with a network the method comprising: A computer-readable medium embodied with program instructions comprising:

computer instructions, responsive to a mobile station being in a network control mode of operation where it reports cell measurement results to the network, for determining if a cell to which the mobile station is currently assigned has a packet broadcast control channel; and

computer instructions, responsive to a determination that the cell does have the packet broadcast control channel, for sending a packet measurement report message to a network for reporting on neighbour cells identified in a global system for mobile communications neighbour cell list received from the packet broadcast control channel, and to a determination that the cell does not have the packet broadcast control channel, for sending a packet measurement report

message to the network for reporting on neighbour cells identified in the neighbor cell list that is specified explicitly in the packet measurement report message, where the list is explicitly specified by the packet measurement report message by a field of the packet measurement report message, where the field is a one bit field for specifying that the packet measurement report is based on a broadcast control channel allocation general packet radio service or on a global system for mobile communications neighbour cell list received from a broadcast control channel, where the one bit field is added to the packet measurement report message only if the packet broadcast control channel is not present in the cell.

14. to 16. (Canceled).

17. (Previously Presented) An apparatus comprising:

a radio frequency transceiver; and

a controller that operates in at least one network control mode of operation to determine if a cell to which the apparatus is currently assigned has a packet broadcast control channel and, if the cell does have the packet broadcast control channel, operates further to send a packet measurement report message to a network for reporting on neighbour cells identified in a global system for mobile communications neighbour cell list received from the packet broadcast control channel; said controller being responsive to a condition where the cell does not have the packet broadcast control channel to determine if the global system for mobile communications neighbour cell list has been received through the transceiver from a broadcast control channel and, if it has, to send a packet measurement report message to the network for reporting on neighbour cells identified in the global system for mobile communications neighbour cell list received from the broadcast control channel, while indicating the list that was used either implicitly or explicitly; or if the global system for mobile communications neighbour cell list has not been received, said controller sends a packet measurement report message to the network for reporting on neighbour cells identified in a broadcast control channel allocation general packet radio service received from the broadcast control channel, while indicating the neighbor cell list that was used either implicitly or explicitly, where, when implicitly specified, the neighbor cell list is implicitly specified by the packet measurement report message by casting the message in a

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format of an earlier version of the packet measurement report message that by default implies the type of list.

18. (Previously Presented) An apparatus as in claim 17, where the network control mode is NC2.

19. (Previously Presented) An apparatus as in claim 17, where the network control mode is NC1.

20. (Previously Presented) An apparatus as in claim 17, where the list is explicitly signaled by the state of a NC_MEAS_LIST_TYPE bit in the packet measurement report message.

21. (Previously Presented) A method comprising:

in at least one network control mode of operation, determining in a mobile station if a cell to which the mobile station is currently assigned has a first type of broadcast control channel; and

if the cell does have the first type of broadcast control channel, sending a packet measurement report message to a network for reporting on neighbour cells identified in a list received from the first type of broadcast control channel;

if the cell does not have the first type of broadcast control channel, sending a packet measurement report message to the network for reporting on neighbour cells identified in a list received from a second type of broadcast control channel, where the type of neighbor cell list is implicitly specified by the packet measurement report message.

22. (Previously Presented) A method as in claim 21, where the list is implicitly specified by the packet measurement report message by casting the message in a format of an earlier version of the packet measurement report message that by default implies the type of list.

23. (Canceled).

24. (Previously Presented) A method as in claim 21, where the first type of broadcast control channel is a packet broadcast control channel, and where a one bit field is added to the packet measurement report message only if the packet broadcast control channel is not present in the cell.

25. (Previously Presented) A method as in claim 21, comprising a computer program product embodied on a tangible computer-readable medium and having program instructions for causing a computer to execute the method.

26. (Previously Presented) A method comprising:

determining if a cell to which a mobile station is currently assigned has a packet broadcast control channel and, if the cell does have the packet broadcast control channel, sending a packet measurement report message to a network for reporting on neighbour cells identified in a global system for mobile communications neighbour cell list received from the packet broadcast control channel;

while if the cell does not have the packet broadcast control channel, determining if the global system for mobile communications neighbour cell list has been received through the transceiver from a broadcast control channel and, if it has, sending a packet measurement report message to the network for reporting on neighbour cells identified in the global system for mobile communications neighbour cell list received from the broadcast control channel; while if the global system for mobile communications neighbour cell list has not yet been completely received through the transceiver from the broadcast control channel, sending a packet measurement report message to the network for reporting on neighbour cells identified in a broadcast control channel allocation general packet radio system received from the broadcast control channel, where the neighbor cell list associated with the general packet radio service is implicitly specified.

27. (Currently Amended) <u>A computer-readable storage medium containing computer executable</u> <u>instructions for causing a computer of a mobile station to execute a method of operating with a</u> <u>network the method comprising:</u> A computer-readable medium embodied with program instructions comprising:

determining if a cell to which a mobile station is currently assigned has a packet broadcast control channel and, if the cell does have the packet broadcast control channel, generating a

packet measurement report message using a global system for mobile communications neighbour cell list received from the packet broadcast control channel;

if the cell does not have the packet broadcast control channel, determining if the global system for mobile communications neighbour cell list has been acquired from a broadcast control channel and, if it has, using the acquired global system for mobile communications neighbour cell list for generating the packet measurement report message; while if the global system for mobile communications neighbour cell list has not been acquired from the broadcast control channel, using a broadcast control channel allocation general packet radio system received from the broadcast control channel for generating the packet measurement report message, where the neighbor cell list associated with the general packet radio service is implicitly specified.

28. (Previously Presented) An apparatus as in claim 17, wherein the apparatus is a mobile station.

29. (Previously Presented) A method comprising:

determining if a first type of broadcast control channel is present;

if it is determined that the first type of broadcast control channel is present, then sending a measurement report message based on a neighbor list associated with a first type of service;

if it is determined that the first type of broadcast control channel is not present, then determining if the neighbor list associated with the first type of service has been received;

if it determined that the neighbor list associated with the first type of service has been received, then sending the measurement report message based on the neighbor list associated with the first type of service; and

otherwise, sending the measurement report message based on a neighbor list associated with a second type of service, where the neighbor cell list associated with the second type of service is one of implicitly specified by the measurement report message or explicitly specified by the measurement report message, where, when implicitly specified, the neighbor cell list is implicitly specified by the packet measurement report message by casting the message in a format of an earlier version of the packet measurement report message that by default implies the

type of list.

30. (Canceled).

31. (Canceled).

32. (Previously Presented) An apparatus comprising:

a controller configured to operate in at least one network control mode of operation to determine if a cell to which the apparatus is currently assigned has a packet broadcast control channel and, if the cell is determined by the controller to have the packet broadcast control channel, the controller is configured to send a packet measurement report message to a network for reporting on neighbour cells identified in a global system for mobile communications neighbour cell list received from the packet broadcast control channel; said controller being responsive to a condition where the cell is determined not to have the packet broadcast control channel by determining if the global system for mobile communications neighbour cell list has been received through the radio frequency transceiver from a broadcast control channel and, if the global system for mobile communications neighbour cell list has been determined to have been received, the controller is configured to send a packet measurement report message to the network for reporting on neighbour cells identified in the global system for mobile communications neighbour cell list received from the broadcast control channel; while if the global system for mobile communications neighbour cell list has not been received, said controller is configured to send a packet measurement report message to the network for reporting on neighbour cells identified in a broadcast control channel allocation general packet radio service received from the broadcast control channel, where the neighbor cell list associated with the general packet radio service is implicitly specified.

33. (Previously Presented) An apparatus as in claim 32, said controller is configured to send the packet measurement report message to the network for reporting on the neighbour cells identified in the broadcast control channel allocation general packet radio service received from the broadcast control channel while indicating the list that was used either implicitly or explicitly.

34. (Previously Presented) An apparatus as in claim 32, the controller being configured to

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retrieve and store computer program instructions in a memory, wherein the computer program instructions, when executed by the controller, perform the controller operations of determining if the cell has a packet broadcast control channel and sending the packet measurement report message.

35. (Previously Presented) An apparatus as in claim 32, the controller being configured to re-read and rebuild a global system for mobile communications neighbour cell list for a cell without a packet broadcast control channel if a broadcast control channel allocation indication parameter is changed.

36. (Previously Presented) An apparatus as in claim 32, the controller being configured to interface with a wireless section for wireless communications.

37. (Previously Presented) An apparatus as in claim 36, the wireless section comprising a radio frequency transceiver.

38. (Previously Presented) An apparatus comprising:

a controller configured to operate in at least one network control mode of operation to determine if a first type of broadcast control channel is present; the controller configured to send a measurement report message based on a neighbor list associated with a first type of service if it is determined that the first type of broadcast control channel is present; the controller configured to determine if the neighbor list associated with the first type of service has been received if it is determined that the first type of broadcast control channel is not present; the controller being configured to send the measurement report message based on the neighbor list associated with the first type of service if it determined that the neighbor list associated with the first type of service has been received and otherwise being configured to send the measurement report message based on a neighbor list associated with a second type of service, where the neighbor cell list associated with the second type of service is implicitly specified.

39. (Previously Presented) An apparatus as in claim 38, where the neighbor list is implicitly specified by the measurement report message by casting the message in a format of an earlier version of the measurement report message that by default implies a type of neighbor list.

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40. (Previously Presented) An apparatus as in claim 38, where the list is explicitly specified by the measurement report message by a field of the measurement report message.

41. (Previously Presented) An apparatus as in claim 40, where the field is a one bit field for specifying that the measurement report is based on a broadcast control channel allocation general packet radio service or on a global system for mobile communications neighbor cell list received from a broadcast control channel.